

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

WILLIAM J. ALLEN, and ALLIE
JOHNSON,

Defendants.

4:17CR3017

ORDER

Defendant Johnson has moved to continue the pretrial motion deadline, ([Filing No. 28](#)), and the trial, ([Filing No. 27](#)), because the defendant needs additional time to fully review the discovery received before deciding if pretrial motions should be filed. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant Johnson's motions to continue, ([Filing Nos. 27](#), and [28](#)), are granted.
- 2) As to both defendants, pretrial motions and briefs shall be filed on or before August 18, 2017.
- 3) As to both defendants, trial of this case is continued and is set to commence before the Honorable John M. Gerrard at 9:00 a.m on September 25, 2017 or as soon thereafter as the case may be called, for a duration of 5 trial days, in Lincoln, Courtroom #1. Jury selection will be held at commencement of trial.

- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendants in a speedy trial, and as to both defendants, the additional time arising as a result of the granting of the motion, the time between today's date and August 18, 2017, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.
- 5) **No further continuances will be granted absent a substantial showing of good cause.**

Dated this 20th day of June, 2017.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge